

Memorandum

Date: April 21, 2006

To: CLASSIFICATION COMMITTEE CSP-Los Angeles County
Subject: INMATE GRAY C32622

This document is deemed confidential per California Code of Regulations (CCR) Title 15, Section 3321 (a) (1) & (2), for all inmates listed in this report, as divulging this information would endanger the safety of persons and jeopardize the safety and security of the institution. Divulging this information to the inmates named in this report would identify the informants to those inmates and place the safety of the informants in danger. This report includes information unknown to the informants and as this information is used to gauge the credibility of the informants. This cannot be divulged to the informants without compromising institutional security.

On 3-12-06 inmate Gray was taken before ICC to discuss being sentenced to an indeterminate SHU. This action was postponed due to the fact that there were several items that were in question for reliability being used to validate inmate R. Gray from an inactive status to being an active Black Gorilla Family (BGF) member. Some of the items had been previously used and were rejected. Memorandum dated April 30, 1987 is no longer used for validation as stated in a memo dated May 13, 1997 to Correctional Counselor I (CCI) Swearingen (see exhibit #1 attached). In my research I discovered that several of the informants were no longer wards of the state so I couldn't interview them to check the validity of the memorandums in question. Memorandums dated February 26, 1990, July 25, 1989, August 2, 1989, and May 5, 1989 were already used to validate inmate Gary in which he served a ten year indeterminate SHU at Pelican Bay State Prison.

The above memorandums should not be used as information to change his status from inactive to active. Some of these items are over 15 years old. The question at hand is that since inmate Gray was released into the general population on November 1, 2000 as an inactive "BGF" associate does any of the current memorandums warrants changing his status.

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History Inmate Gray was placed in Administrative Segregation on June 14, 1989 pending investigation into his suspected association with the "BGF" (see exhibit #2). June 16, 1989 was the hearing officer's recommendation that inmate Gray be released, because there was not enough information to validate him. On August 1, 1989 inmate Gray was validated as a member/associate of the "BGF". In this same year I discovered there was a debriefing of a "BGF" associate stating that inmate Gray was the leader of the disruptive group called "415" and a "BGF" associate. Gray could not be a "BGF" associate and "415" leader at the same time. It is true that "415" did adopt some of its beliefs from the "BGF" but not in its entirety, otherwise these two groups would have never been at odds with each other. In this debriefing dated 10-5-89 the inmate gave a list of 31 members, dropouts, or associates. In the list is inmate Gray found. There is just a small insertion in the body of this report-naming inmate Gray (see exhibit #3). In another debriefing dated February 26, 1990 it was stated by the informant that inmate Gray was a "BGF" sleeper and "415" shot caller. Once again he can only be one or the other. On May 27, 1992 there was another inmate debriefing and it was this time stated that inmate Gray was a ranking member of the "415" a captain to be exact. This informant was an admitted "415" member with the rank of a "2 lieutenant" (see exhibit #4). All of this information was deemed reliable, but it was never used to change the "BGF" label that inmate Gray had already been given. During this time only inmates that were either a member or associate of a known prison gang could be locked up and given indeterminate SHU terms. If inmate Gray was indeed a "415" member then he would have never been placed in Administrative Segregation. The "415" gang is considered a disruptive group because it did not originate inside the prison walls. In my research it was discovered that on August 1, 1989 when inmate Gray was given a lock up order stating that he was a validated "BGF" member or associate there was two memorandums placed in his file after the fact. These two memorandums were dated August 2, 1989 and August 3, 1989. On April 17, 2006 I was able to locate inmate Colvin (C51010) using the "OBIS" system but discovered that inmate Hobbs was discharged. Both inmate Colvin and Hobbs are linked to memorandum dated August 2, 1989. I called California Men's Colony and spoke with inmate Colvin.

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Interview (s) Result: In this interview inmate [REDACTED] stated several things that compromised the statements given in the memorandum dated August 2, 1989. Inmate [REDACTED] said that he was indeed housed at CCI in 1989. That he did have a cellmate by the name of [REDACTED] who is the initial informant of this memorandum. Inmate [REDACTED] stated that he and [REDACTED] were cellmates for a short period of time. It was no more than two months. [REDACTED] admitted that he was an ex-drug user and that he did test positive for marijuana after a family visit in 1989. He was never caught selling drugs nor did he ever owe money to anyone as a result of his admitted drug use. Inmate [REDACTED] explained that he has only one enemy who is currently housed in CTF, Soledad. In this memorandum [REDACTED] states that he wanted to be moved from [REDACTED] to avoid any involvement. Inmate [REDACTED] goes on to say that he and [REDACTED] went separate ways as a result of him ([REDACTED]) requesting to be housed with an old cellmate by the name of [REDACTED]. When I asked inmate [REDACTED] if he knew of inmate Ricky Gray or "Red" he stated, "no". Since [REDACTED] didn't know inmate Gray who was the subject of interest, there was no need to continue this interview. I later spoke to inmate [REDACTED]'s CCI Kneer who checked his central file to corroborate the information that inmate [REDACTED] told me. On June 28, 1989 inmate [REDACTED] did test positive for marijuana after his family visit. Inmate [REDACTED] has never been in a gang nor had any association with one. In further review of this memorandum there is a stamped notation at the bottom stating that the document does not meet the validation requirements established in CCR Title 15 Section 3378 dated May 8, 1996. (See attached exhibit #5).

This interview is just the first example of how the evidence used against inmate Gray is compromised of conjecture, second hand expression, assumptions, frivolous statements, incomplete documentation, and a blatant lack of a thorough investigation.

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On November 1, 2000, the Departmental Review Board declared inmate Gray to be an inactive BGF member and released him into general population under CCR rule 3341.5 (c) (5). He was transferred to California Correctional Institution (CCI) level-IVB on December 28, 2000 for a twelve (12) month review. The observation period ended on December 29, 2001. When he appeared before the Classification Services Representative (CSR) no action was taken due to new information that had been placed in his confidential file dated August 9, 2001, two confidential ICDC-128b's on May 3, 2001, and memo dated May 31, 2001. Upon this information being investigated by the Internal Gang Investigation (IGI) unit, it was determined that the information was not significant enough to change inmate Gray's status to active from inactive.

Interview(s) Results: On March 24, 2006 I was able to contact inmate [REDACTED] at Ironwood State Prison and I was able to conduct an interview with him over the telephone. This interview was in regards to a confidential memorandum dated May 3, 2001. Inmate [REDACTED] stated that he did recall two inmates housed at Tehachapi at the time in question. One was a "MAC" Chairman and the other worked a job in industries. Inmate [REDACTED] stated that he did not know them personally nor had he ever associated with them. He did however state that he heard that they had done time at Pelican Bay State Prison. Inmate [REDACTED] stated that he has never been in a gang nor has anyone ever tried to recruit him to be a "BGF" member. At this particular time inmate [REDACTED] had a cellmate with the last name [REDACTED] (CDC # unknown) and he was unaware if anyone had tried to recruit him. Inmate [REDACTED] does not recall either of the officers who are the authors of this memorandum nor having a conversation with anyone in regards to recruiting for the "BGF" prison gang. This memorandum was made confidential to inmate [REDACTED] and he did not sign any document conferring that he gave a statement similar to this. It is not fair to assume that inmate Gray C32622 is the suspect in question since there were two inmate Gray's present at this time. Both inmate Gray's did serve time in the SHU at Pelican Bay State Prison and were transferred to Tehachapi as inactive "BGF" members or associates. This information was not thoroughly investigated and should have never been used as a validation item.

On April 2, 2006 I contacted inmate [REDACTED] at California Institutional Prison, Tehachapi and conducted an interview over the telephone. Inmate [REDACTED] stated that he didn't know an inmate by the name of Ricky Gray or "RED". Inmate [REDACTED] said that he has never given any information about anyone recruiting for the "BGF" at any time. Inmate [REDACTED] admits to being a member of the disruptive group known as "Crips". In the confidential CDC 128-B there is a statement given by inmate [REDACTED] where he is saying, "It's that one from the bay". This statement is vague and doesn't identify inmate Gray. In the memorandum it clearly states that staff made the assertion that inmate [REDACTED] was referring to inmate Gray C32622. Inmate [REDACTED] also refused to sign any document to affirm his statements.

I didn't need to interview inmate [REDACTED] in relation to memorandum dated May 31, 2001. In this memorandum inmate Gray was said to be illegally corresponding with inmate [REDACTED]. This was not true because inmate Gray went through the proper procedures and this was documented by submitting a CDC107a. (See exhibit #6). Inmate Gray was approved to correspond with inmate [REDACTED] for one time. Inmate Gray did not write the letter that was intercepted and being used as a validation item. Inmate [REDACTED] wrote the letter and he chose to send the letter to inmate Gray via third party. In the synopsis the author makes a lot of assumptions as to what inmate [REDACTED] could possibly be talking about. (See exhibit #7). Inmate Gray didn't break any rules nor did he participate in any gang activity by receiving the letter. It should also be noted that inmate Gray submitted a 602 after he tried to correspond with inmate [REDACTED] in a prior case. The 602 was partially granted on the bases that the appeal coordinator found inmate [REDACTED] to be either a drop out of the group, inactive, or not even a member of a group (see exhibit # 8). Inmate Gray has stated that he has not corresponded with inmate [REDACTED] since this particular time, nor was he ever given a 115 in regards to this issue. This memorandum is full of assumptions and was not thoroughly investigated.

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On April 1, 2006 I contacted inmate [REDACTED] in regards to his debriefing (memorandum 4-17-02). In my interview with inmate [REDACTED] he informed me that he did know of inmate Gray. Inmate [REDACTED] recalled inmate Gray being in the SHU at Pelican Bay with him in 1997. Inmate [REDACTED] did not personally associate with inmate Gray because they were housed in different sections of the SHU. He would only see inmate Gray in passing and at that time inmate [REDACTED]'s cellmate [REDACTED] (CDC unknown) knew inmate Gray. At no time were inmate [REDACTED] and inmate Gray ever cellmates. Inmate [REDACTED] only knew about inmate Gray through association of inmate [REDACTED]. Inmate [REDACTED] stated that he paroled in 1997. He has not heard about nor seen inmate Gray since then. Inmate [REDACTED] was re-incarcerated in 1999 for a parole violation. In the memorandum the author wrote that inmate [REDACTED] stayed in contact with several "BGF" members and sent them quarterly packages. Inmate Gray was named among the list of inmates. Inmate [REDACTED] stated that he never sent inmate Gray nor anyone else packages.

In this interview it is clear that any information that inmate [REDACTED] might have stated would be considered heresy based on the fact that he didn't personally know or communicate with inmate Gray. At the time that inmate [REDACTED] debriefed the activity was over six years old. According to CCR rule 3341.5(c), (5) once an inmate is released into general population they have to remain free from any involvement of gang activity for a minimum of six years. Inmate Gray was not released by the DBR until November 1, 2000. This information is very contradicting and should not be used as an item of validation. At this particular time the activity allegedly took place inmate Gray was currently in the SHU at Pelican Bay.

On March 20, 2006 I was able to locate inmate [REDACTED] at Calipatria State Prison. I spoke to inmate [REDACTED] on the phone very brief before he terminated our conversation. The only statement inmate [REDACTED] gave was as follows, "I already said what I had to say so I'd rather not talk about it anymore, plus Lt. Maldonado told me that my papers might be floating out on the yard." This concluded my interview with inmate [REDACTED]. I had to conduct an investigation using some of the information that inmate [REDACTED] provided in the memorandum. In the memorandum inmate [REDACTED] stated that inmate [REDACTED] was to be conspiring with inmate Gray to introduce narcotics into the prison. Inmate [REDACTED] stated that inmate [REDACTED] was to bring the drugs in through visiting, inmate Gray wouldn't go to visits because he felt that staff would be watching him. Inmate Gray was to send inmate [REDACTED]'s wife money in the sum of 2,500 dollars to purchase drugs and provide transportation.

On April 1, 2006 I contacted inmate [REDACTED] to ask him a few questions about inmate Gray and what if any association he had with him. Inmate [REDACTED] stated that he did know inmate Gray and that they were going to start a t-shirt business on the outside but it never fell through. A lady whose name he couldn't recall was helping them set it up. She lived somewhere in Moreno Valley. I asked inmate [REDACTED] if he went on visits while at Centinela and if he ever saw inmate Gray there too. Inmate [REDACTED] replied "yes", but that he lost his visiting privileges and got them back around August or September of 2004. Inmate Gray provided me with copy of his visiting record while at Centinela (see exhibit #9). Inmate Gray had several visits during this time. Inmate [REDACTED] stated that his wife had a car and that inmate Gray never sent his wife money for transportation or to buy drugs. On April 3, 2006 I called inmate trust accounts and spoke to Mary. I asked her to pull up inmate Gray's records C23622 and verify if there was a cash withdrawal sent out in the amount of 2,500 dollars to a [REDACTED] or anyone. Mary did not see any amount of 2,500 being sent to anyone. Mary stated that the records went back to March 2005. Mary did state that there were 3,500 sent to a [REDACTED] in December 2004 and 1,500 sent in January 2005 (See exhibit #10). It was also noted that 1,000 dollars was returned for an E-trade account that inmate Gray was trying to purchase.

The author of this memorandum Lt. Maldonado wrote that he tried to locate [REDACTED] and was unsuccessful. The address that inmate Gray mailed the money to was 215 S. Acacia Compton Ca. 90220. This is a place of business at this time it was called Equipoise Children services. Lt. Maldonado also stated that he could not locate the business either.

On March 18, 2006 I contacted [REDACTED] on her cell phone at [REDACTED]. Inmate Gray provided this number. I asked Ms. [REDACTED] did she know inmate Gray and what was her association with him. Ms. [REDACTED] stated that she meet inmate Gray when her son [REDACTED] and Gray were cellmates about 2 years ago. I asked her if inmate Gray had ever sent her money and what was it for Ms. [REDACTED] stated "yes" he sent her 5,000 dollars total and it was to take care of things like special purchases, packages, gifts for family members, pay bills like storages, rent and telephone bills, court fees and other miscellaneous stuff (see exhibit # 11). She stated that inmate Gray was very particular about every penny and that is why she had to give him an itemized list of how the money was spent. She said that Gray was having problems with his family members and he didn't trust them with his money because they burned him before. She was just helping him out of the kindness of her heart. She stated that there was never anything illegal done with the money and that she would never do anything to jeopardize her freedom or her not being able to visit with her son. I asked her where did inmate Gray send the money to and she stated to her job. I asked her where was her job and what was the name. Ms. [REDACTED] stated that it was located at [REDACTED] Acacia Compton Ca. 90200. The name is Shields for Families Inc. but it used to be called Equipoise Children Services the name changed a couple years ago because another company took over. I then asked her what her supervisors name was and she told me [REDACTED]. This concluded my interview with Ms. [REDACTED]. On March 20, 2006 I called information and asked for the number to Shields for Families located in Compton Ca. The number was [REDACTED]. I then immediately dialed the number and asked to speak to [REDACTED]. I asked Ms. [REDACTED] if she had an employee by the name of [REDACTED] and how long has she been employed there. Ms Henderson said, "yes" and that she had been employed there for about ten years.

I asked Ms. [REDACTED] if the business was ever under another name and she said, "yes" it used to be called Equipoise Children Services and that it changed a few years ago due to new management. I then called information once again, this time asking for the Compton Fire Department located at 210 S. Acacia. The number that I got was [REDACTED]. I dialed this number and spoke to [REDACTED]. I asked Ms. [REDACTED] if they were located on S. Acacia and she stated, "yes". I then asked her if there was a business called "Shields for Families Inc. in the area. She stated, "Yes a couple of buildings down from us". I asked her if she recalled it ever being called something else and she also stated, "yes". Inmate [REDACTED] also stated that inmate [REDACTED] admitted to him that he was a sleeper "BGF" and so was inmate Gray.

On April 2, 2006 I contacted inmate [REDACTED] and this is what he had to say. Inmate [REDACTED] stated that he did know inmate Gray, but has no knowledge of him being a "BGF" sleeper and he never told inmate [REDACTED] this. Inmate [REDACTED] states that he is a devote Muslims and that over his 24 years of incarceration he has never been in a gang. Inmate [REDACTED] said that he would occasionally talk to inmate Gray and some other guys that were around the same age as him because that was something that they had in common. Inmate [REDACTED] did recall inmate telling him that staff was constantly trying to label him as a "BGF". [REDACTED] also recalls that Gray was very knowledgeable about the law. [REDACTED] also stated that inmate [REDACTED] was a known snitch and was wanted for some foul stuff he did with his own gang "Raymond Street Crips". He believes that inmate [REDACTED] started a lot of the "BGF" talk to take the focus off of him and so he could get off of the main line. [REDACTED] also stated that Lt. Maldonado had him under investigation too for "BGF" activity. [REDACTED] was released and is not labeled as a "BGF" or associate. This particular memorandum was not thoroughly investigated and it is full of conjectures, second hand expression, and assumptions. Let it be noted that on a CDC810 form dated 7-22-04 by CCI M. Takara there are two pieces of information dated 4-26-04 and 4-7-04. On 12-15-04 it was documented on a 128G that inmate Gray's case was being referred to the CSR for transfer review. This action was postponed because there was confidential memorandum 9-8-04. This had to be evaluated by iGI. The 128G didn't mention any memorandum dated June 15, 2004.

This seemed suspicious to inmate Gray and he questions as to why it did not show up in his central file until a year later. On June 2, 2005 CCI Placencia gave inmate Gray a copy of his CDC810 per his request. It lists confidential memorandums 2-23-05, 6-15-05, 4-26-04 and 4-7-04. Inmate Gray received a second copy with the 6-15-04 being changed to 6-15-04 stating that it was an error (see exhibit # 12).

On March 20, 2006 I contacted inmate [REDACTED] in regards to memorandum June 15, 2004. Inmate [REDACTED] stated that he first came across inmate Gray while at Tehachapi. He believes that inmate Gray was a Lifer Chairman at that time. Inmate [REDACTED] didn't have any association with Gray at the time and it wasn't until people started to talk about Gray at Centinela that he remembered that Gray was that same guy at Tehachapi. Inmate [REDACTED] stated that he was a Muslim and he often did voluntary work at the Muslim chapel. Inmate [REDACTED] was a ducted Program clerk and had access to the copy machine. Inmate [REDACTED] stated that inmate Gray asked him to make copies of what he was later told was "BGF" material. Gray also asked him to copy some legal cases and one particular case that inmate was involved in on the streets. [REDACTED] states that he never made any copies for Gray and that Gray sent other inmates to get the copies made one being an inmate [REDACTED]. Inmate [REDACTED] said that he never witnessed inmate Gray attend any Muslim services, but he did see him near the chapel on a couple of occasions. It was also stated that inmate Gray was a known heroin dealer. Inmate [REDACTED] said that he say inmate Gray associate with everyone on the yard even the white boys. Inmate [REDACTED] said that inmate Gray once tried to give him marijuana but he told him that he didn't indulge and he declined his offer. Other inmates told [REDACTED] that inmate Gray was trouble and to stay clear of him because he was "BGF". At no time did inmate Gray try to recruit inmate [REDACTED] but he asserted that he was going to bases on what other people said. Inmate [REDACTED] also assumed that because inmate Gray, [REDACTED] were seen talking by the center fence on the yard they were conducting "BGF" meetings. Inmate [REDACTED] never heard anything that was said so he is clearly assuming. Just because inmate Gray asked him to make copies of some newspaper articles does not make him a "BGF" member. If inmate [REDACTED] was a Muslim how did he know so much about "BGF" activity? This memorandum is full of opinions and heresy. If anything inmate Gray should have been under investigation for drug dealing instead of "BGF" activity.

In a memorandum dated September 8, 2004 inmate [REDACTED] was discovered with a legal transcript with several validated members or associates of "BGF", "NF", and "NS". Among the list of names was inmate Gray C32622. Inmate Gray advised me that in 1998 he and inmate [REDACTED] were cellmates. This would explain him having his name and CDC number. Inmate Gray also stated that he requested that they be separated and inmate Gray remains single cell because he was soon up for review and didn't want to be involved in any trouble. When a cell search was conducted of their cell some contraband was discovered. They both received a 115 for it but later on inmate [REDACTED] admitted that the contraband was his and that inmate Gray was unaware of it being in the cell. Inmate Gray should not be held accountable for someone else possessing his name. It should be taken into consideration that inmate Gray was serving a SHU term in 1998 and once this piece of information was discovered it was six years old.

On August 5, 2004 the IGI confiscated inmate Gray's books and other literature deeming that these items were contraband under CCR rule 3006-302(a) and penal code 2601. The IGI was under the impression that inmate Gray was using the material to recruit new members for the "BGF". Inmate Gray was given both a written and verbal warning concerning this matter (CCR rule 3312(a), (1), (2)). Inmate Gray was under the impression that he would be in violation if he were discovered with these items again. Inmate Gray was given the opportunity to send the items home, which he did. At no time was inmate Gray given a 115 in regards to possessing this contraband. Inmate Gray does not understand why these items are being used to validate him now. He was never informed that he was in violation for possessing them. Inmate Gray stated that he has had these very same items for over ten years. On December 18, 1989 an appeal with log #N-90-0176 (Fol) reimbursed inmate Gray for these same items because they were lost when staff packaged his property (see exhibit #13). Inmate Gray won this appeal because it was noted on his property log sheet that he received these in photocopy form while at Pelican Bay State prison. Inmate Gray has been released from there for six years now. Inmate Gray found a similar case involving an inmate that sued the Warden and the Correctional Commissioner. The inmate sued on the grounds that he was locked up in ADSEG for having political papers and putting his thoughts or ideals on paper.

The lock up order didn't support that he was publishing nor distributing the inflammatory papers for gang activity (see exhibit #14 Larkin vs. Oswald). To punish inmate Gray because of his choice of reading material and knowledge violates CCR rule 3004(a) (c). Inmate Gray has never been found guilty of distributing any of his reading material. Various college professors and literary artist have studied this type of material. Inmate Gray stated that he had literature about Adolph Hitler now you wouldn't presume that he was a fascist because of this.

In a 128B chronicle dated May 12, 2005 authored by J.S. Hill it was clearly stated that inmate Gray could not posses his personal telephone book. Inmate Gray's phone book was confiscated, investigated, photocopied and placed into his central file. This phone book is considered contraband because it has various names and CDC numbers of validated members or associates of gangs. It was stated that if inmate Gray were discovered to have this book in his possession again it would constitute a direct link to validate him as a "BGF" member. Inmate Gray was already validated as "BGF". This same phone book was confiscated, investigated, and photocopied on October 30, 2004. At this particular time inmate Gray was given the phone book back. Inmate Gray was not given a 115 in regards to this phone book nor was he told then that it was contraband. Inmate Gray says that he acquirered the information in that phone book over his many years of incarceration. Inmate Gray is known as a 'legal beagle' and has helped a lot of inmates with their legal matters in the past and in the present time. Inmate Gray states that the reason it has what appears to be validated gang members is because a lot of them were in the SHU at Pelican Bay with him. It should also be noted that the phone book has names of family members and friends on the outside.

According to case law *Zimmerlee vs. Keeney* confidential information must be reliable. It must include (1) when the source has previously provided information to be true; (2) when the information is self incriminating; and (3) when more than one source independently provides the same information, 15 CCR Sections 3321 (c). One aspect of reliability that is not explicitly covered by CDC rules is that the source of the information must have first hand knowledge of the charged prisoner's involvement in the alleged misconduct. (See *Cato v. Rushen*, supra).

All of these memorandums do not meet the requirements in one way or the other and should have not been used to validate inmate Gray. In the memorandum dated 7-24-04 the author Lt. Maldonado appears to be leading the informant inmate [REDACTED] to answer questions the way he would like. Inmate [REDACTED] never states that he saw inmate Gray involved in any "BGF" activity. In my interview with inmate [REDACTED] he contradicts just about everything that he stated in the original interview. There is a memorandum dated 6-13-05 and in it it's implied that inmate Gray was found to have marijuana in his possession. The truth of the matter was that he didn't have marijuana and staff tried to coerce another inmate to state that inmate Gray did. Lt. Martinez found inmate Gray not guilty for a refusal to a urine test, yet Lt. Maldonado try's to uses the refusal to take a urine test and the statement of inmate [REDACTED] against inmate Gray. Inmate [REDACTED] did not sign the memorandum conferring it's truth, however he did sign an affidavit explaining what he knew to be true in regards to inmate Gray being charged with possession of drugs and being involved in gang activity. (See exhibit #15). All of the memorandums need to be thoroughly investigated.

Recommendations: It is my recommendation that inmate Gray's status remain inactive. Inmate Gray appears to be sincere in his wanting to program in general population. Inmate Gray has not had any disciplinarians in quite some time. Inmate Gray does not have a problem in following rules once he is aware of them. In my research I found a lot of discrepancies in the paper trail that seems to follow inmate Gray. Inmate Gray was not given the opportunity to present his case until now and has been continuously under scrutiny because of it.



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